



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

August 16, 1995

CERTIFIED MAIL NO. Z745799251
RETURN RECEIPT REQUESTED

WARNING LETTER

In reply, refer to H-4-1

Mr. William Mitzel
President
Rollins OPC, Inc.
5756 Alba Street
Los Angeles, CA 90058

Dear Mr. Mitzel:

On June 6, 1995, a hazardous waste investigation was conducted by representatives of the United States Environmental Protection Agency (U.S. EPA) at Rollins OPC in Los Angeles, CA, U.S. EPA Identification Number CAD050806850. During the course of this investigation, information was gathered in accordance with Section 3007 of the Resource Conservation and Recovery Act (RCRA), as amended [42 U.S.C. 6927]. A copy of the investigation report is enclosed for your information and response. The report describes conditions at the facility at the time of the investigation, and identifies areas of noncompliance with RCRA regulations and potential violations of the California authorized program under RCRA Subtitle C. Any omissions in the report shall not be construed as a determination of compliance with applicable regulations.

In general, the EPA inspectors were favorably impressed by your well-maintained hazardous waste storage areas. The facility representatives also appeared to be knowledgeable and cooperative.

Pursuant to Section 3008 of RCRA [42 U.S.C. 6928] you are required to correct the identified areas of noncompliance and to submit documentation of their correction to U.S. EPA within 30 calendar days of your receipt of this letter. Specifically, please, submit the following:

1. Documentation proving the pot holes in the secondary containment concrete floor near tank V-2 have been repaired.

2. Documentation proving that a signed copy of outgoing manifest #LAA 3329212 was returned to Rollins OPC from the designated treatment, storage, and disposal facility (TSDF). Also provide documentation proving that as a standard operating procedure Rollins OPC will contact the TSDF if a manifest copy has not been returned within 35 days of the initial shipment date and file an Exception Report if a copy has not been returned within 45 days of the initial shipment date.

Your response must include a letter signed by a duly authorized official of your facility, certifying correction of the identified areas of noncompliance. Documentation of your return to compliance may consist of, among other things, photographs, manifests and revised records. Where compliance cannot be achieved within 30 days, you must provide the reasons for the delay, a description of each corrective action planned and a schedule on which each corrective action will be taken.

By copy of this letter, U.S. EPA is providing the State of California with notice of the referenced violations of Subtitle C of RCRA. The State of California may notify U.S. EPA of its intent to assume or decline responsibility to take such action to resolve the referenced violations.

U.S. EPA reserves the right to take further enforcement action as it deems appropriate. Violations of Subtitle C of RCRA such as those listed in the enclosed report may be punishable by civil and criminal actions, including penalties of up to \$25,000 per day for each violation as provided by Section 3008 of RCRA.

U.S. EPA routinely provides copies of investigation reports to State agencies, and upon request, to the public. Such releases are handled according to the Freedom of Information Act regulations (40 CFR Part 2). If you believe this report contains privileged or confidential information, you may make a claim within fifteen (15) working days from your receipt of this letter. U.S. EPA will construe your failure to furnish a timely claim as a waiver of the confidentiality claim.

Your response to this Warning Letter, due within 30 days of your receipt of this letter, shall be mailed to:

Mr. Duong Nguyen
Hazardous Waste Management Division, H-4-1
U.S. EPA, Region 9
75 Hawthorne Street
San Francisco, CA 94105

If you have questions related to technical aspects of the

investigation report or this letter, please contact Mr. Nguyen at
(415) 744-2130.

Sincerely,

A handwritten signature in cursive script, appearing to read "Arlene Kabei", followed by a horizontal line.

Arlene Kabei, Chief
Compliance Monitoring and
Enforcement Section

Enc.

cc: Scott Simpson, DTSC, Reg. 3